

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ORVILLE L. MOE,

Plaintiff,

v.

BARRY A. DAVIDSON, receiver for
Washington Motorsports Limited
Partnership and Individually, AARON
D. GOFORTH, REED & GIESA,
JOHN GIESA, and JANE & JOHN
DOES 1 THRU 50,

Defendants.

No. 2:14-CV-0262-SMJ

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS**

Before the Court, without oral argument, is Plaintiff Orville Moe's Motion to Dismiss, ECF No. 16. Judge Plese of the Spokane County Superior Court has previously issued a lawful Cease and Desist Order against Plaintiff prohibiting him from filing any lawsuit in any jurisdiction or court against Defendants unless first approved by order of the Spokane County Superior Court. Plaintiff filed this lawsuit in violation of Judge Plese's Order, was found in contempt, and had bench warrants issued for his arrest. ECF No. 15-3. To purge himself of contempt, Plaintiff must dismiss this case. Plaintiff now seeks dismissal of this matter in


1 order to prevent further arrests for violation of Judge Plese's Order. Accordingly,
2 the Court, having reviewed the motion and filings in this matter, grants Plaintiff's
3 motion to dismiss.

4 Accordingly, **IT IS HEREBY ORDERED:**

- 5 **1.** Plaintiff's Motion to Dismiss, **ECF No. 16**, is **GRANTED**.
- 6 **2.** All claims are **DISMISSED WITHOUT PREJUDICE**, with all
7 parties to bear their own costs and attorneys' fees.
- 8 **3.** All pending motions are **DENIED AS MOOT**.
- 9 **4.** All hearings and other deadlines are **STRICKEN**.
- 10 **5.** The Clerk's Office is directed to **CLOSE** this file.

11 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
12 and provide copies to all parties and to Judge Plese.

13 **DATED** this 8th day of December 2014.

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15 SALVADOR MENDEZ, JR.
16 United States District Judge
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